

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Claims 1-25 were pending in this application and stand rejected. Claims 1, 3-12 and 14-25 are amended herein, and claim 2 is cancelled herein. Thus, claims 1 and 3-25 are currently pending in this application. No new matter has been added.

Upon reviewing the Office Action Summary page, the Applicants discovered that the Examiner did not acknowledge the claim for foreign priority for this application. Applicants would like to remind the Examiner that a certified copy of the priority document (i.e., Japanese Patent Application No. JP 2004-095646) should have been forwarded to the USPTO from the International Bureau because this application is a National Stage application of PCT/JP05/05416. Accordingly, the Applicants respectfully request that the Examiner acknowledge the claim for foreign priority in the next Action for this application.

The specification and abstract have been carefully reviewed and revised to make grammatical and idiomatic improvements in order to aid the Examiner in further consideration of the application. Amendments to the specification are contained herein. Moreover, a substitute Abstract including revisions has been prepared and is submitted herewith. Also submitted herewith is a marked-up copy of the Abstract indicating the changes incorporated therein. No new matter has been added.

Claims 20, 24 and 25 have been rejected under 35 U.S.C. § 101 on the basis that the claimed inventions are directed towards non-statutory subject matter. Claim 20 has been amended to recite that a computer program recorded on a computer-readable recording medium is for causing a computer to perform the recited method. Moreover, claims 24 and 25 have been amended to recite a computer-readable recording medium having recorded thereon, a computer program for causing a computer to perform the elements of the respective claims. Support for these amendments can be found in paragraph [0011] of the specification

Claims 1-25 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that the claims are generally narrative and indefinite and fail to conform to current U.S. patent practice. Claims 1 and 3-25 have been amended to address the Examiner's concerns.

Claims 1-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Wyman (U.S. Patent No. 5,260,999). Claim 2 is cancelled herein, thus rendering the 35 U.S.C. § 103(a) rejection of claim 2, moot.

Independent claims 1, 7, and 19-25 have been amended to distinguish over the reference cited by the Examiner.

The above rejections are submitted to be inapplicable to the amended claims for the following reasons.

In contrast to the present invention, Wyman does not disclose a right management system that includes, in part, a terminal device including a range designation obtainment unit operable to obtain edit condition information generated by a first right management device that shows a range designation of a usage condition included in license information, as recited in claim 1.

Instead, Wyman describes a license facility that includes a license server 10 which must receive a license from a license issuer 25. The issuer 25 is a CPU executing a license document generator program 26 under an operating system 27. The license issuer 25 may be under control of a producer 28 of programs or software products being licensed (see col. 10, lines 30-50). The license grant includes essential terms such as starting and ending dates which store the exact time when the license becomes valid and when it ends (see col. 12, lines 15-25). Moreover, Wyman discloses that a management interface allows a license manager to modify license documents in a database maintained by the server within the restraints imposed by the license.

Administration of a license is in response to inquiries from users 16. When execution of a program 17 begins, a unit 18 is invoked to check on the availability of a license for this particular user/node 16. The unit 18 sends a request to the license management program 14, where the product authorization stored in a database 23 (maintained by the license server 10) is checked to see if use is authorized. If so, a return is sent to the user/node 16, granting permission to continue. Thus, Wyman does not disclose the users/nodes 16 performing an authentication function. Moreover, there is no disclosure or suggestion in Wyman to modify the license facility such that the producer 28, the issuer 25, and the generator program 26 generate edit condition information, in addition to the essential terms of the license grant, which is generated by a first right management device and shows a range designation of the usage condition included in the license information.

Consequently, Wyman does not disclose a range designation obtainment unit operable to obtain edit condition information generated by a first right management device that shows a range designation of a usage condition included in license information, as recited in claim 1. As a result, Wyman cannot logically disclose a usage condition judgment unit operable to judge whether or not the usage condition included in the license information received from the second right management device is within the range designated in the obtained edit condition information, and a validation unit operable to validate the received license information only when the usage condition is judged to be within the range, and abandon the received license information when the usage condition is judged not to be within the range, as also recited in claim 1.

For at least the reasons discussed above, it is believed clear that Wyman fails to disclose or suggest the present invention as recited in claim 1.

In the Office Action, the Examiner has taken the position that the producer 28 and the issuer 25 of Wyman correspond to the first right management device and the second right management device, respectively, as recited in claim 1. However, the producer 28 does not generate edit condition information indicating a range designation of the usage condition (i.e., the essential license terms of the license grant discussed in Wyman correspond to the usage condition recited in claim 1). Moreover, the Examiner has taken the position that the users/nodes 16 correspond to the terminal devices recited in claim 1. However, as discussed above, the users/nodes 16 of Wyman do not perform an authentication, or checking, function and do not include a usage condition judgment unit and a validation unit. Consequently, the users/nodes 16 do not correspond to the terminal devices, as recited in claim 1.

Claims 7, 20, 22, 24 and 25 are patentable over the references relied upon in the rejections for reasons similar to those set forth above in support of claim 1. That is, each of claims 7, 20, 22, 24 and 25 similarly recite a range designation reception unit operable to receive edit condition information generated by a right management device which shows range designation of a usage condition, a usage condition judgment unit operable to judge whether or not the usage condition included in generated license information is within the range designated in the edit condition information; and a validation unit operable to validate the generated license information only when the usage condition is judged to be within the range.

Claims 19, 21 and 23 are patentable over the references relied upon in the rejections for reasons similar to those set forth above in support of claim 1. That is, each of claims 19, 21 and 23 similarly recite a license information obtainment unit operable to obtain, in response to the request, license information including a usage condition that shows a condition for allowing the usage of the content, and edit condition information designating a range of the usage condition. Moreover, each of claims 19, 21 and 23 recite a usage condition judgment unit operable to judge whether or not the usage condition is within the range designated in the edit condition information, and an abandon unit operable to abandon the obtained license information when the usage condition is judged not to be within the range designated in the edit condition information.

For at least the reasons set forth above, it is respectfully submitted that the above-discussed features as recited in claims 1, 7 and 19-25 are not disclosed in the references applied by the Examiner. Furthermore, it is respectfully submitted that one of ordinary skill in the art at the time the invention was made would not have found it obvious to modify Wyman under 35 U.S.C. § 103(a) in such a manner as to result in the invention of claims 1, 7 and 19-25. Therefore, it is respectfully submitted that claims 1 and 3-25 are clearly allowable.

In view of the foregoing amendments and remarks, all of the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Masahiro OHO et al.

By: /Kevin McDermott/  
2008.11.04 16:38:10 -05'00'  
Kevin McDermott  
Registration No. 48,113  
Attorney for Applicants

KM/MSH/kh  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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